

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

HUI LAN WENG,

Plaintiff,

-against-

FANCY LEE SUSHI BAR AND GRILL,
INC., WINNIE LI, *individually*

Defendant(s).

ADOPTION ORDER
15-cv-5737 (ADS)(ARL)

-----X
APPEARANCES:

Phillips & Associates, PLLC

Attorneys for the Plaintiff

45 Broadway, Suite 620

New York, NY 10006

By: Jessenia Maldonado, Esq.,
Steven John Fingerhut, Esq., Of Counsel

William D. Wexler, Esq.

Attorney for the Defendants

816 Deer Park Avenue

North Babylon, NY 11703

By: William D. Wexler, Esq., Of Counsel

SPATT, District Judge.

On May 15, 2017, following a three-day trial, a jury found that the Defendants Fancy Lee Sushi and Winnie Li (the “Defendants”) discriminated against the Plaintiff Hui Lan Weng (the “Plaintiff”) in violation of Title VII of the Civil Rights Act of 1964, as codified, 42 U.S.C. § 2000e *et seq.* (“Title VII”) and New York State Executive Law §290, *et. seq.* (“NYSHRL”). The jury awarded the Plaintiff \$26,000 in back pay damages. The jury did not award any punitive damages to the Plaintiff.

On July 21, 2017, the Plaintiff moved for attorneys' fees pursuant to Federal Rule of Civil Procedure 54(d).

On July 25, 2017, the Court referred the Plaintiff's motion to Magistrate Judge Arlene R. Lindsay.

On November 3, 2017, Judge Lindsay issued a Report and Recommendation (the "R&R"), recommending that the Plaintiff's motion for attorneys' fees be granted; that she be awarded a total of \$51,054.64, comprised of \$43,332.80 in attorneys' fees, and \$7,721.84 in costs. The R&R was served on the parties on the same day via ECF.

It has been more than fourteen days since the service of the R&R, and the parties have not filed objections.

As such, pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the R&R for clear error, and finding none, now concurs in both its reasoning and its result. See Coburn v. P.N. Fin., No. 13-CV-1006 (ADS) (SIL), 2015 WL 520346, at *1 (E.D.N.Y. Feb. 9, 2015) (reviewing Report and Recommendation without objections for clear error).

Accordingly, the R&R is adopted in its entirety.

The Clerk of the Court is respectfully directed to enter judgment for the Plaintiff in the amount of \$77,054.64, comprised of \$26,000 in damages, \$43,332.80 in attorneys' fees, and \$7,721.84 in costs. The Clerk of the Court is further respectfully directed to close the case.

SO ORDERED.

Dated: Central Islip, New York

November 18, 2017

/s/ Arthur D. Spatt

ARTHUR D. SPATT

United States District Judge